PERSONNEL AND ADMINISTRATION REFORMS SECRETARIAT

No. DPAR 42 SRR 71

Bangalore, dated 4th November, 1976

NOTIFICATION

G.S.R. No. 369.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Karnataka hereby makes the following rules, namely :—

1. Title, commencement and application.—(1). These rules may be called the Karnataka Civil Services (Confidential Reports) Rules, 1976.

(2) They shall come into force on the date of their publication in the official Gazette.

(3) They shall not apply to officers governed by the All India Services (Confidential Rolls) Rules, 1970 and officers of the Karnataka Judicial Service.

2. Definitions.—In these rules, unless the context otherwise requires,—

(1) "Chief Secretary" means the Chief Secretary to the Government of Karnataka ;

(2) "Form" means a Form appended to these rules

(3) "gazetted officer" means an officer of State Civil Services Class I or Class II ;

(4) "non-gazetted officer" means an officer of the State Civil Services Class III

(5) 'Year' means the period of twelve months commencing from the 1st April.

3. Annual confidential reports.—(1) In respect of every gazetted and non-gazetted officer an annual confidential report shall be recorded assessing as correctly as possible such officer's physical, mental and moral suitability for hi

office and for promotion, his ability to apply intelligently the law and procedure prescribed to cases coming before him, his treatment of his subordinates and behaviour towards his superiors.

(2) An officer preparing a confidential report shall record all relevant observations and opinions which he might have formed, which shall be a frank and full appraisal of the officer's merits and demerits giving as far as possible specific instances or reasons for the particular opinions he has expressed. A report shall be prepared with the greatest caution and no record or remarks shall be made lightly on the spur of the moment or based on prejudice.

4. Period of report.—(1) The confidential report for every year in respect of a gazetted officer shall be recorded in Form A and of a non-gazetted officer in Form B:

Provided that the first confidential report after the commencement of these rules of all officers shall cover the period from 1st January 1976 to 31st March 1977;

Provided further that during the first three years of service of an officer, a confidential report may be recorded covering the period of every six months of service.

5. Preparation and transmission of reports.—(1) Every officer who prepares a confidential report and every officer through whom it passes shall sign the report and indicate his name and designation in block letters below his signature.

(2) The name and designation of the officer in respect of whom the report is recorded shall be specified in full and in the same manner as shown in the Civil List or the Service Book.

(3) The report shall, unless otherwise directed by the State Government be prepared in the first instance by the officer under whose administrative control the officer in respect of whom the report is recorded is working and

passed on to the next higher officer who shall add his remarks, if any, before passing it on. If the officer through whom a report passes has no knowledge of the work of the officer reported upon, he shall record a statement accordingly:

Provided that the report in respect of a gazetted officer of any of the departments specified in Schedule A—

(i) whose administrative jurisdiction extends upto a district shall be passed on by the first reporting officer to the next higher officer through the Deputy Commissioner of the district who shall add his remarks as to the manner in which the officer has conducted himself during the year in regard to the development work in the district;

(ii) whose administrative jurisdiction extends beyond a district shall be passed on by the first reporting officer to the next higher officer through the Divisional Commissioner of the division who shall add his remarks as to the manner in which the officer has conducted himself during the year in regard to the development work in the division.

(4) (i) Reports in respect of non-gazetted officers shall be prepared and transmitted through the usual channel up to the level of such officer as the Head of the Department may by order direct and the said report shall be retransmitted to the head of the office for record.

(ii) Reports in respect of gazetted officers Class II shall be prepared and transmitted through the usual channel to the Secretary to Government concerned. After the Secretary to Government concerned and the Minister-in-charge have seen the report and added their remarks, if any, the said report shall be retransmitted to the Head of the Department for record.

(iii) Reports in respect of Secretaries to Government shall be prepared by the Chief Secretary and in the case of Heads of Departments by the Secretary of the Department concerned (or, where he is junior to the Head of the Department, by the Chief Secretary) and submitted to the Chief

Minister through the Ministers of all the departments with whom the Secretary/Head of the Department is concerned.

(iv) Reports in respect of gazetted officers other than those referred to in clauses (ii) and (iii) shall be prepared in duplicate and transmitted through the usual channels to the Secretary to Government concerned. After the Secretary to Government concerned and the Minister-in-charge have seen the reports and added their remarks, if any, one copy shall be retained by the Secretary to Government for record and the duplicate retransmitted to the Head of the Department.

(5) Whenever an officer is transferred in the middle of a year, unless the transfer is within the first three months of the year, a report shall be prepared and forwarded to the officer to whose administrative control the officer is transferred, to be completed at the end of the year.

(6) Whenever an officer who is required to initiate a confidential report in respect of any officer under his administrative control is transferred in the middle of a year, he shall unless such transfer be within the first three months of the year, write the report of such officer and hand it over to his successor who shall complete it at the end of the year.

(7) The report in respect of a Government servant who is on deputation in any department shall be initiated by the officer under whose administrative control, he is for the time being working and shall be passed on, through the next higher officers to the Head of that Department who shall, after adding his own remarks, if any, transmit it to the Head of the Department from which the Government servant was deputed. The latter Head of Department shall, after adding his remarks, if any, take action in accordance with sub-rule (4).

(8) The report in respect of a Government servant whose services have been lent to the Central Government or any other State Government or to a local authority or to any

other authority shall be prepared by the officer under whose administrative control he is working and passed on through the next higher officers to the authority which borrowed his services which shall transmit it with its remarks if any, to the Head of the Department from which the Government Servant was deputed.

6. Particulars in a confidential record.—The first page of the confidential record of every officer shall be in Form 'C' and the particulars mentioned therein shall be filled at the time the first report is prepared, the entries being altered from time to time whenever necessary.

7. Punishments.—The pendency of any disciplinary proceedings shall not be recorded in the confidential report in respect of any officer, unless such proceedings are in respect of charges relating to his integrity. A copy of the final order in all disciplinary proceedings shall, however, be included in the officer's confidential record.

8. **Communication of remarks.**—(1) All adverse remarks whether in an ordinary or special report shall be communicated immediately in writing to the officer concerned. While communicating an adverse remark, a short summary of the good points shall also be communicated but the name of the officer recording the remarks shall not be communicated to the officer reported upon. Where a report shows that an officer has made successful efforts to remedy defects to which his attention has been drawn previously, it shall be communicated to him.

(2) When an officer has done outstanding work in the course of a year and earned appreciation, it shall be communicated to him.

(3) The fact of communication of remarks under sub-rule (1) or (2) shall be recorded in the report.

(4) The responsibility of communication shall be,—

(a) in respect of Heads of Departments, Deputy Commissioners of districts and Superintendents of Police, on the Chief Secretary;

(b) in respect of Class I officers other than those referred to in clause (a), on the Secretary to Government in the Department concerned;

(c) in respect of Class II officers, on the Head of the Department; and

(d) in respect of others, on the head of the office.

9. Representation against adverse remarks.—(1) Every officer to whom adverse remarks are communicated under sub-rule (1) of rule 8 may, within six weeks from the date of receipt by him of such communication, submit his representation, if any, against the said remarks to the officer mentioned in sub-rule (4) of the said rule:

Provided that for sufficient cause shown a representation submitted after the said period of six weeks may be received and taken into consideration.

(2) Decision on such representation shall be taken expeditiously and communicated to the officer concerned.

10. Special reports.—(1) Special reports may be called for at any time on the work of any officer by the Government, the Head of the Department or the appointing authority. Such reports shall be prepared and sent through the appropriate channels and shall be confined to the question or questions raised.

(2) A superior officer may, at any time of his own accord, forward a report on an officer working under him should he consider that the conduct of an officer makes such action necessary. Such reports shall also be submitted through the appropriate channels

(3) Any special reports about an officer's work or about his conduct may be included in the confidential record at the discretion of the officer or authority in whose custody the record is kept.

11. Date of submission.—The officer initiating the report shall forward it by the 1st May following the year of report

and each successive authority shall pass on the report with its remarks to the next higher authority within one week of its receipt.

12. Register to watch disposal of reports.—A register in Form D shall be maintained by all heads of offices, Heads of Departments, Secretaries to Government and the Chief Secretary to watch the timely receipt of confidential reports and their final disposal.

13. Repeal.—(1) The Karnataka Civil Services (Confidential Reports) Rules, 1965 are hereby repealed:

Provided that the said repeal shall not affect the previous operation of the said rules or anything duly done or suffered thereunder or affect any right liability or obligation acquired, accrued or incurred under the said rules.

(2) Any reference in any rule or order to the rules repealed by sub-rule (1) shall be construed as a reference to these rules.

(3) All proceedings commenced under the rules repealed by sub-rule (1) and pending on the date of commencement of these rules shall be continued and disposed of in accordance with the provisions of these rules.

SCHEDULE A

[See rule 5(3)]

1. Co-operation Department.
2. Agriculture Department.
3. Public Works Department (Minor Irrigation).
4. Public Works Department (C & B).
5. Fisheries Department.
6. Department of Animal Husbandry and Veterinary Services.
7. Department of Industries and Commerce (Rural Industries).
8. Department of Public Health and Family Planning.
9. Department of Public Instruction.
10. Department of Social Welfare.
11. Forest Department.
12. Department of Statistics.
13. Horticulture Department.
14. Public Health Engineering Division incharge of National Rura Water Supply Schemes in Public Works Department.

FORM 'A'

(See rule 4)

(Annual Confidential Report on Gazetted Officers)

Report for the year/period ending.....

Part I—Personal Data

(To be filled by the Government servant)

1. Name of officer

2. Name of the service to which the officer belongs.

3. Date of birth

4. Posts held from the date of continuous appointment to Gazetted cadre till the end of the year/period.

Post held.	From	To

5. Period of absence from duty on leave, training etc., during the year.

Part II—Assessment by the Immediate Superior Officer

1. State of health

2. General assessment: (This should contain an overall assessment of the officer's personality, his good qualities and short comings and should, in particular touch on the following points; viz., quality of mind (originality and comprehension); knowledge of work; power of expression (on paper and in discussion); power of acquiring general information; attention to detail; industry and consciousness; judgement; speed of disposal;

willingness to accept responsibility and take decisions; relations with subordinates and colleagues; public relations.

f the officer has been reprimanded for indifferent work or for er causes during the period under review, brief particulars should be en. If the officer has done any outstanding notable work meriting nmendation, brief mention should be made.

3. Integrity

(This column should be filled as per instructions issued under M. No. GAD 31 SSR 71, dated 6th January 1972).

Signature.....

Name in block letters .....

Designation.....

Date.....

Part III

emarks of the Divisional Commissioner or Deputy Commissioner in respect of officers of the Departments specified in Schedule A.

ated :

Name :

Designation :

Part IV

emarks of other officers, if any, below the level of the Head of Department through whom the report is sent (each officer recording remarks should clearly indicate his name, designation and

Part V—Remarks of the Head of Department

Length of service under the Head of Department.

Do you agree or disagree with the assessment of the officer given in Parts II to IV? Is there anything you wish to modify or add?

General remarks with specific comments about the general remarks given in Parts II to IV and remarks about the outstanding work of the officer.

(a) Fitness for promotion to higher grade(s) in his turn. Fit/Not yet fit/Unfi

(b) Has the officer any special characteristics and/or any outstanding merits or abilities which would justify his advancement and special selection for higher appointment out of turn? If yes, please mention these characteristics briefly.

(c) Recommendation regarding suitability for other spheres of work.

Signature.....

Name in block letters .

Designation.....

Date.....

FORM 'B'

(See rule 4)

(.....Department)

Annual Confidential Report on Non-Gazetted Officers for the year 19.....

Name ..... Appointment held ..... Date of :—(a) Birth ..... (b) Entry into Government service .....Present grade.....

SECTION I

Performance of duties in present grade

1. Knowledge
   (a) of work of post held ..
   (b) of Branch or Section ..
   (c) of Department ..
2. Personality and character ..
3. Judgement ..
4. Power of taking responsibility ..
5. Initiative ..
6. Accuracy ..
7. Promptness ..
8. Address and tact ..
9. Power of supervising staff ..
10. Zeal and industry ..
11. Health ..
12. Attendance ..
13. Official conduct (discipline) ..
14. Fitness to hold the present post, including in respect of ministerial staff, his capacity to note/ draft.
15. General remarks (including a statement on integrity and reliability and a note of any special qualifications not included above).

SECTION II

Degree of Fitness for promotion

Delete all but one of the following :—

Exceptionally well qualified/Highly qualified/qualified/not yet qualified.

Remarks

Signature and designation of Reporting Officer.

Remarks by Countersigning Officer.

Signature of Head of Department.

Date.....

NOTES

Section I

Note (1).—Insert in this column A. B. C. D or E against each item to the following appraisement—

A—Outstanding.
B—Very good.
C—Satisfactory.
D—Indifferent.
E—Poor.

Note (2).—An 'A' or 'B'
2 and 13.

Note (3).—This report is to be regarded as confidential; but D and E markings against any item must be communicated to the officer concerned, except in the following circumstances :

(i) Where the marking is due to inexperience owing to less than one year's service in the grade (except in cases of unsatisfactory conduct, laziness, etc.).

(ii) Where the weakness has already been notified and it is clear that no useful purpose can be served by repeated notifications, in such cases the officer should be advised of the proposal to discontinue

future notifications to the same effect as those he has previously made. Any change, for better or worse, should be notified to the officer.

tion II

Note (4).—The estimate of fitness for promotion should be related to the officer's capacity, for the performance of the duties of the grade above. If he is marked "Exceptionally well qualified" or "Not yet qualified", the reasons for the marking should be stated; and in general, Reporting Officers should make the fullest use of the "Remarks" space.

General

Note (5).—Every effort should be made to arrive at a just estimate of the qualities of the officer at the time the report is made. Reporting officers should rely on their own judgement and experience, and the current report should be written in the first place, without reference to the previous reports. Thereafter the previous reports may be referred, to the extent of either contradicting or lessening the effect of

FORM 'C'

(See ru

1. Name in full

2. Date and place of birth

3. (a) Educational qualifications

(b) Details of training, deputation and othe courses undergone in India or abroad

(c) Languages he can read and write

4. Home address

5. Names of relations, if any, in Government service with posts held by them and the relationship.

6. Details of posts held

Post held	From	To

* Please indicate particulars of training undergone within and outside India, deputation/foreign service, etc., within and outside India.

FORM 'D

(See rule 12)

Register to watch the Receipt and disposal of Confidential Reports

Sl. No.	Name of the Officer to be reported upon	Designation	Due date	Date of receipt	Date when sent to the Chief Secretary to Government (or Minister) or Governor.	Adverse remarks, if any, communicated on	Remarks
1	2	3	4	5	6	7	8